IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

W.P.NO. 4204 OF 2004.

PETITIONER : Trilochan Das, S/o. Shri M.K. Das, aged about 57 years, Occupation Service, Head Clerk Forest Department, Bastar forest Division, Jagdalpur, Distt. Bastar, (Chhattisgarh).

P.R. No. 4197/04
Presented by Shri Mohd. Mishra
dated 30.10.04

VERSUS

RESPONDENTS : 1) State of Chhattisgarh, through : Secretary Forest Department, D.K.S. Bhawan Raipur, (Chhattisgarh).

2) Principal Chief Conservator of forest, Raipur (C.G.).

3) The Conservator of Forest Jagdalpur Circle Jagdalpur, Distt. Bastar (Chhattisgarh).

4) Divisional Forest Officer, Bastar Division Jagdalpur (C.G.).

5) Divisional Forest Officer, Sukma Forest Division, Sukma Distt. Dantewada (Chhattisgarh).

6) V. Bal Krishna, Head Clerk , Sukma Forest Division, Sukma Distt. Dantewada (C.G.).

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6/11/04
Clerk to A.G. Bilaspur

29/10/04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION of INDIA

The named above petitioner to submit as under :

1. Particulars of the Petitioner :

As per the cause title.

contd..2...

(26)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4204/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

01.12.2004

Shri Manoj Mishra, counsel for the petitioner.

Shri U.N.S. Deo, Govt. Advocate for the State.

Application for urgent hearing is allowed.

Heard.

Counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Bastar Forest Division, Jagdalpur, District Bastar to Sukma Forest Division, Sukma, District Dantewada vide order dated 26/27.10.2004 (Annexure P-4). He also submits that within a period of 5 months of the previous transfer order, the petitioner has again transferred. He also submits that the petitioner has been transferred only to accommodate respondent No.6 V. Balakrishna. He also submits that the petitioner's father is aged about 93 years and is a patient of hypertension and Asthma. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before

Gr. PRJ—FS/350—12/2000—50,000.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4204/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observation, this petition stands disposed of.

Consequently M.W.P.No.4576/04 also stands disposed of.

C.C.

Sd/-
Fakhruddin
Judge

Gr. PRJ—FS/350—12/2000—50,000.